

Work Session
May 3, 2004
S-6100 South Park Avenue
Hamburg, New York 14075

Supervisor Hoak calls the meeting to order at 6:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman
Also Present:	Catherine Rybczynski	Town Clerk
	James Spute	Finance Director
	Richard Boehm	Deputy Town Attorney
	Robert Hutchison	Town Assessor

WORK SESSION SCHEDULE

6:00 – 6:10 p.m.	Resolutions
6:10 – 8:00 p.m.	Executive Session (Personnel & Legal Matters)

I.

BE IT RESOLVED, that the Town Board approve the hiring of C & G Consulting to assist with Records Management in the town. Funds are available in account A1410.423, which are not to exceed \$25,000, with a term ending 12/31/2004.

Moved: Hoak	Seconded: Cavalcoli
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
	Noes: None
	Carried

II.

BE IT RESOLVED, that Niagara Mohawk be authorized to replace two (2) corroded 16 feet tall steel street light poles at Pole No. 6C on Buckskin Trail and Pole No. 4B on Fox Run Drive with new 16 feet fiberglass poles, at a decrease in the annual charges of \$82.86 in accordance with the current street light agreement.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Dept. for transmittal to Niagara Mohawk.

Moved: Hochul	Seconded: Quatroche
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
	Noes: None
	Carried

III.

BE IT RESOLVED, that the Town Engineer's report on the completion and acceptance of the Fairgrounds Road Subdivision storm sewer work performed under Public Improvement Permit No. 846 be received and accepted, and that the Supervisor is authorized to sign the report.

Moved: Cavalcoli	Seconded: Kesner
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
	Noes: None
	Carried

IV.

BE IT RESOLVED, that D.A.R.E. Coordinator, Jack Rahill be authorized to travel to Saratoga Springs, N.Y., April 25 – 27 to participate in the New York State D.A.R.E. Training Conference required for implementation and teaching of the new text and policies of Drug Abuse Resistance Education. Funds for required travel, lodging and meals are available in A4212.497.

Moved: Hoak Seconded: Quatroche
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

Supervisor Hoak states that Officer Fraser was scheduled to attend, but is now unable to attend, therefore Mr. Rahill will take his place.

V.

WHEREAS, PRISM intends to enter into a contract with the Town of Hamburg Senior Services Department to provide Health, Fitness and Wellness Services and

WHEREAS, PRISM is a New York Corporation duly organized and qualified pursuant to state law and regulation and

WHEREAS, PRISM has established space, documentation and procedures for delivery of Health, Fitness and Wellness Services and

WHEREAS, PRISM and the Town of Hamburg Senior Services desires to utilize each others services for the purpose of providing Health, Fitness and Wellness Services pursuant to the terms and conditions of this agreement

NOW THEREFORE BE IT RESOLVED, in consideration of the mutual agreements set forth, that the Town Board grant permission for the Senior Services Department to enter into contract with PRISM for the delivery of Health, Fitness and Wellness Services

Moved: Cavalcoli Seconded: Quatroche
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

Councilman Cavalcoli comments that this is the same type of program as the Silver Sneakers, that they enacted, and it is doing very well. They have tremendous participation and they are making money on it.

VI.

RESOLVED, that the Town Board approve the American Legion Women's Auxiliary (Matthew Glab Post 1477) holding a "Poppy Day" on Friday May 28th, 2004 from 9:00 a.m. to 6:00 p.m. at the "Jubilee Super Market" on Lake Avenue in Blasdell.

Moved: Hochul Seconded: Quatroche
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

VII.

BE IT RESOLVED, that the Town Board grant approval for the following individuals:

Donna Gavin	Computer Support
Richard Lardo	Engineering
Rick Krautsack	Highway
Michael Taylor	Dispatch
Cathy Rybczynski	Town Clerk
Robert Hutchison	Town Assessor

To attend the seminar, GIS Basics for the Professional, at the University of Buffalo, Main Street Campus, May 17th to 21st, from 1:00 pm to 4:30 pm each day. The cost is \$200 per person, funds are available in the following accounts:

A1680.492	A1440.492	A5101.492	A3020.492
A1410.492	A1355.492		

Use of a Town vehicle is also requested.

Moved: Kesner Seconded: Cavalcoli
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

Councilwoman Kesner thanks Mr. Hutchison for implementing the GIS program. All the Departments are benefiting from the program. She commends him for bringing this to the Town.

RESOLVED, that the Town Board approve the travel request for Donna Gavin, Robert Brown, Nancy Crane and Mary Dosch to travel to Lancaster, New York on May 18th to attend a KVS User's group conference at a total cost of \$30.00.

IX.
RESOLVED, that the Town Board approve the hiring and termination of personnel for the Recreation Department as follows:

Moved: Quatroche Seconded: Kesner
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

X.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Building and Grounds Department as follows:

1.	Mike Scinta	P/T Laborer	04/30/2004	Terminate
2.	Mike Scinta	Seasonal Laborer	05/03/2004	\$9.09
3.	Frederick Best	Seasonal Laborer	05/13/2004	\$9.09
4.	George Kales	P/T Laborer	04/30/2004	Terminate
5.	George Kales	Seasonal Laborer	05/03/2004	\$9.09
6.	Daniel Shea, Jr.	P/T Laborer	05/03/2004	\$9.09
7.	Brendan LoVullo	Seasonal Laborer	05/03/2004	\$9.09

Moved: Quatroche

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

XI.

RESOLVED, that the Town Board approve the hiring of personnel for the Recreation Department as follows:

1.	McFeely, Elizabeth	ER7251(225) Rec. Attendant	05/03/2004	\$7.25 Seasonal
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Moved: Quatroche

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

XII.

RESOLVED, that the Town Board approve hiring and termination of personnel for the Drug Education Department as follows:

1.	Griffin, Kristen	Assistant Coordinator	05/31/2004	Terminate
2.	Griffin, Kristen	Assistant Coordinator - D.A.R.E. Seasonal	06/01/2004	\$9.00

Moved: Quatroche

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

XIII.

RESOLVED, that the Town Board approve the termination of personnel for the Tax Department as follows:

1.	Granville, Patrick	Tax Manager	04/30/2004	Terminate
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Moved: Quatroche

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

RESOLVED, that the Town Board approve the Audit of Cash Disbursements as follows:

VOUCHER #'S

OPERATING FUND:

BATCH #59	\$ 60,975.82	913120 – 913226
BATCH #60	\$202,075.22	913227 – 913285
BATCH #61	\$428,345.15	UNPROCESSED

TOTAL OPERATING FUND DISBURSEMENTS:	\$691,396.19
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TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS:	\$	0.00
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CAPITAL FUND DISBURSEMENTS:

BATCH #33	\$218,816.00	720203 – 720204
BATCH #34	\$ 23,840.20	UNPROCESSED

TOTAL CAPITAL FUND DISBURSEMENTS:	\$242,656.20
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TOTAL PAYROLL DISBURSEMENTS:	\$	0.00
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TOTAL PETTY CASH DISBURSEMENTS:	\$	0.00
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TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$934,052.39

Moved: Hoak Seconded: Cavalcoli
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

Supervisor Hoak comments that Mr. Whitney from the USDA National Resources and Conservation Service is present to discuss preserving farmland in the Town of Hamburg. Mr. Hutchison asked him to make a presentation. Other Town's in Erie County are involved in PDR such as Amherst, Marilla and Clarence.

Mr. Whitney makes a presentation using a projector. The topic is farmland protection and he is on the Board of Western New York Land Conservancy. He will be discussing successful purchase of development rights, which is what PDR stands for. He feels that the most successful way is through collaborations. Many of the more successful projects throughout Erie County and the Country have been collaborative efforts. They have not been solely a municipal project or solely a State project or land trust project. Most of the projects have been done as public private partnerships. The first thing he will talk about is land trusts. They are in almost all cases the principle non-public collaborator in these farmland projects. Land trusts are local, regional, statewide, nationwide and even international organizations that are involved in protecting private land for public benefit. Usually they are non-profit organizations. Some examples are the nature conservancy, the American Farmland Trust, Fingerlakes Land Trust, Chautauqua Water Shed Conservancy and in the US there are over 1200 with more than 70 in New York State. The Western New York Land Conservancy was formed in 1991 and is a 501C3 (Public Benefit Corporation) serving the eight Counties of Western New York. They have directors from 3 different counties. The Amherst farmland protection project was an outgrowth of public opposition to a rezoning action. They had a large block of undeveloped land and the community felt that was a good place to try and preserve some remaining land in the Town of Amherst. There is more farmland still available in the Town of Amherst than in the Town of Lancaster. The Erie County Department of Environment and Planning helped sort through the ordinances to create a municipal program that they could use to support State and Federal Grant applications and the Town Board asked for land conservancy help in that with the goal of permanently protecting 1000 to 1200 acres. Not just Ag District or Zoning District protection which can change. The term purchase of development rights actually extinguishes development rights so that they cannot be exercised on that property.

As part of the collaboration the Town and the land trust would jointly hold the conservation easements. The public/private partnership helps make it harder to unravel somewhere down the road. The way that the extinguishment of developmental rights is ensured is by the layering of the conservation easement on top of the deed to the property. Project agreements are prepared and letters of interest or commitment are solicited to support grant applications. Amherst has received almost 2 million in State and Federal Funds to support their effort. There is a local match 25% through the State program. The Federal requires 50%. Most municipalities go to the State but if you go to the Federal, for the 50% match, you can use a green space fund or bonding for the match. You can combine both the State and Federal grants. However it is tough to make the timing come out right. One of the advantages of having the land trust involved is that the discussions with the land owners can be kept somewhat confidential. At some point it will become public information. Documents would have Ag and Markets review when there is State funding involved or USDA review when there are Federal funds involved and both in some cases. It will almost always take more than one year to close the project. He describes some of the problems that Amherst went through during this process. He then explains the appraisal process and what the land would be worth. Most communities have gone to full value assessment and use the States Agricultural Assessment program as the basis for tax assessment on Ag land. Councilman Cavalcoli asks if there are any stipulations on the farmers. Mr. Whitney comments that the land must be kept in agricultural use or in a condition to be brought back to agricultural use. He then explains what is and is not allowed. The State and Federal programs do not agree on this. Marilla has received a couple of grants and it has moved along very well. They were very involved in working with people outside of Rochester. Rochester was based largely on bonding, they made a case that it was a better deal for the community rather than if they developed and had to pay the community services associated with increased development. This is an argument that can be used to support the package. It is not just about protecting farmland, it can also help offset the cost of community services. Pendleton did this very well and got this passed through referendum. In terms of the partnership contributions and how these collaborations come together, typically the Town Government has the authority, a portion of the local match, technical and political support, this is what they expect them to bring to the table. Sometimes the landowners may be part of the local match through their bargain sale. The County Agricultural and Farmland Protection Board is a player in that if the community does not have a local farmland protection program already established they are still eligible for the State and Federal programs as long as there is the County Farmland Protection Plan and the project that is proposed has the approval of the Agricultural and Farmland Protection Board. They are automatically eligible under the County umbrellas as long as they sign off on the application. It is unlikely they would not support this. Both Amherst and Marilla reviewed their local ordinances and packaged them in a way that said, when they look at the Zoning Code, Master Plan and Building Codes collectively, they do have a farmland protection plan but just never labeled it that way. You have to package your existing ordinances through a resolution and could bypass going through the County. In order to make sure that the easements remain extinguished they have to be monitored, which should be an annual process. When they are monitored you could learn that something is happening on that property and at point you have to be willing to defend the conservation easement or it isn't worth the paper it's printed on. Defense is tied to the Stewardship fund. They set aside \$100 per acre into a Stewardship fund for the future. The communities need to be involved in this. Councilman Quatroche questions if they should sit down with the landowners first to discuss if this is something they even want. Mr. Whitney comments that they did this in Amherst, Marilla, Clarence, Orchard Park and North Collins is moving in that direction. Councilwoman Hochul comments that she feels we would have the support of the community. It would be finding the right landowners. Councilwoman Kesner comments that she attended a seminar in New York on this topic. It set her thoughts towards talking a look at this. If you look at a map, you can see what sprawl is doing to our Town. It is time for us to take a proactive position and if we don't take a step forward and preserve some of this land they could lose it forever. Councilman Cavalcoli comments that an advantage is that they have a collaborative Board who would be in favor of this. Supervisor Hoak comments on what would be the next step to move in this direction. Councilman Cavalcoli comments that they will bring this up with the Planning Board and the Conservation Advisory Board has already talked about this. They are behind it 100%. Councilwoman Kesner comments that she knows a lot of owners of Agricultural properties where developers are knocking on their doors. We need to step forward to protect this land.

XV.

RESOLVED, that the Town Board adjourn to Executive Session on a Legal Matter.

Moved: Hoak

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried